

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

<u>Boston Edison Company, Cambridge</u>)	D.T.E. 03-88A
<u>Electric Light Company, Commonwealth</u>)	D.T.E. 03-88B
<u>Electric Company, Costs to be Included in</u>)	D.T.E. 03-88C
<u>Default Service Rates</u>)	

PETITION FOR LEAVE TO PARTICIPATE OF THE CAPE LIGHT COMPACT

Pursuant to 220 CMR §1.03(1), the towns of Aquinnah, Barnstable, Bourne, Brewster, Chatham, Chilmark, Dennis, Edgartown, Eastham, Falmouth, Harwich, Mashpee, Oak Bluffs, Orleans, Provincetown, Sandwich, Tisbury, Truro, West Tisbury, Wellfleet, and Yarmouth, and the counties of Barnstable and Dukes County, acting together as the Cape Light Compact (the “Compact”), hereby respectfully petition the Department of Telecommunications and Energy (the “Department”) for leave to participate in DTE 03-88A, DTE 03-88B and DTE 03-88C. In support of this Petition, the Compact states the following:

1. The Cape Light Compact is a governmental aggregator under G.L. c. 164, §134 and consisting of the twenty-one towns in Barnstable and Dukes Counties, as listed above, as well as the two counties themselves. It is organized through a formal Inter-Governmental Agreement signed by all of the towns, as well as Barnstable and Dukes counties, pursuant to G.L. c. 40, §4A. The Compact’s Aggregation Plan was approved by the Department in DTE 00-47. The Compact maintains a business office within the Barnstable County offices located at the Superior Courthouse at 3195 Main Street in Barnstable, MA 02630.

2. The Compact presently operates a municipal aggregation Pilot Project, which provides electric power supply on an opt-out basis to the approximately 50,000 customers who are located within the Compact's service territory and would otherwise be served as Default Service customers. The Department approved the Compact's Pilot Project in DTE 01-63 and extended it in DTE 03-61 until December 31, 2003; more recently, in DTE 03-99, the Department further extended the Pilot until December 31, 2004. The Compact also operates an Energy Efficiency Plan ("EEP") that was approved by the Department in DTE 00-47C and again in DTE 03-39.¹ Finally, the Compact has participated in numerous other Department proceedings.

3. The Compact is actively pursuing longer-term power supply arrangements for all consumers located in its geographical area, including, without limitation, Default Service customers.

4. As a municipal aggregator currently serving Default Service customers and developing longer-term plans to serve all consumers, the Compact is substantially and specifically affected by the above captioned proceedings. Further, the Compact is interested in monitoring NSTAR's procedure for calculating costs associated with its Default Service rates to assure that they are appropriately priced and send the correct price signals to consumers and that Default Service related costs are not included in distribution base or other NSTAR rates.

5. The Compact requests the right to participate in the above captioned proceedings on a limited basis as it deems necessary, including the filing of written comments, receipt of notices and filings, attendance at procedural and public hearings,

¹ A portion of the decision is subject to reconsideration, pursuant to the November 12, 2003 Motion for Reconsideration filed by the Compact.

submittal of briefs at the close of the proceeding and other such rights as may be afforded to limited participants in this proceeding.

For the above reasons, the Compact respectfully moves that the Department allow this petition to participate. The Compact hereby notices the appearance of the undersigned counsel.

Respectfully submitted,

THE CAPE LIGHT COMPACT

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